

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

TRUSTEES OF THE PLUMBERS)	
AND PIPEFITTERS NAT'L)	
PENSION FUND, et al.,)	
Plaintiffs,)	Case No. 1:18cv1054
)	
v.)	
)	
MERRICK CO., LLC,)	
Defendant.)	
)	

ORDER

On December 10, 2018, United States Magistrate Judge Theresa Carroll Buchanan entered a Report and Recommendation (“Report”) in this ERISA and LMRA action, recommending that plaintiffs’ motion for default judgment be granted. Specifically, Judge Buchanan recommends that judgment be entered against defendant Merrick Co., LLC and in favor of The National Pension Fund in the amount of \$45,419.86 and in favor of The International Training Fund in the amount of \$6,064,50.

Upon consideration of the record and Judge Buchanan’s thorough Report, to which no objections have been filed, and having found no clear error,¹

¹ See *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (in the absence of any objections to a magistrate’s report, the court “need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”).

The Court **ADOPTS**, as its own, the findings of fact and recommendations of the United States Magistrate Judge, as set forth in the Report (Doc. 13).

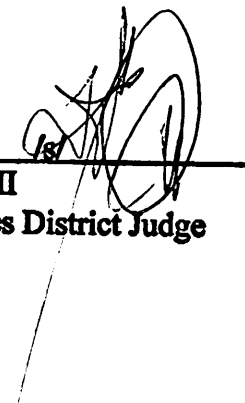
Accordingly,

It is hereby **ORDERED** that plaintiffs' motion for default judgment (Doc. 9) is **GRANTED**. Counsel for plaintiffs shall provide a copy of this Order to defendant at its last known address.

The Clerk of Court is directed to enter Rule 58 judgment against defendant Merrick Co., LLC and in favor of The National Pension Fund in the amount of \$45,419.86 and in favor of The International Training Fund in the amount of \$6,064,50. in unpaid contributions, accrued interest, liquidated damages. Plaintiffs are also awarded attorneys' fees in the amount of \$1,857.50 and costs in the amount of \$689.29.

The Clerk is further directed to provide a copy of this Order to all counsel of record, and to place this matter among the ended causes.

Alexandria, Virginia
January 10, 2019



T. S. Ellis, III
United States District Judge